

PATENT

Atty. Docket No. 2926US (203-3805PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gregg et al. **EXAMINER:** Not assigned
SERIAL NO.: 10/573,210 **ART UNIT:** 3739
FILED: March 24, 2006 **DATED:** March 18, 2009
FOR: REDUNDANT TEMPERATURE MONITORING IN
ELECTROSURGICAL SYSTEMS FOR SAFETY MITIGATION

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed PTO/SB/08a be considered by the Examiner and made of record in the above-identified application.

Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98. A copy of the foreign reference is provided herewith.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Patent and Trademark Office via electronic transmission, addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2009

Dated: March 18, 2009


Donna Spinillo

The listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

This information disclosure statement is being filed within three (3) months of the filing date of this application.

This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

Enclosed herewith is a petition under 37 C.F.R. §1.97(d).

Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(p)).

Please charge the \$130.00 petition fee to Deposit Account

No. 21-0550.

[] As set forth in 37 C.F.R. §1.97(c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).

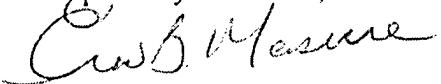
[] As set forth in 37 C.F.R. §1.97(e)(1): That, each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

[] Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
[] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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